DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING PERMIT

This is to certify that SHOLEH MISAGHIAN **Located At** 11 GERTRUDE AVE

Job ID: 2012-05-3965-CH OF USE **CBL:** 402- B-020-001

has permission to Change of Use- Daycare for 5 Children or less (Single Family Residence).
provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.	A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

07/09/2012

Fire Prevention Officer **Code Enforcement Officer / Plan Reviewer**

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD

Certificate of Occupancy

CITY OF PORTLAND, MAINE

Department of Planning and Urban Development
Building Inspections Division

Location: 11 GERTRUDE AVE **CBL: 402- B-020-001**

Issued to: MISAGHIAN, SHOLEH **Date Issued: 8/28/2012**

This is to certify that the building, premises, or part thereof, at the above location, built-altered-changed as to use under Building Permit No. 2012-05-3965-CH OF USE, has had a final inspection, has been found to conform substantially to the requirements of the Building Code and the Land Use Code of the City of Portland, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES	APPROVED OCCUPANCY
FIRST FLOOR	USE GROUP R3 HOME DAYCARE FOR 3 OR LESS TYPE 5B IBC 2009

Approved:
8/28/2012
(Date) *Inspector*

Inspections Division Director

Notice: This certificate identifies the legal use of the building or premises, and ought to be transferred from owner to owner upon the sale of the property.

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**

1. Close-In: (Electrical)
2. Final Inspection

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.

Acting Director of Planning and Urban Development
Gregory Mitchell

Job ID: 2012-05-3965-CH OF USE **Located At:** 11 GERTRUDE AVE **CBL:** 402- B-020-001

Conditions of Approval:

Zoning

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. During its existence, all aspects of the Home Occupations criteria, Section 14-410, shall be maintained.
3. With the issuance of this permit and the certificate of occupancy, the use of this property shall remain a single family dwelling with a home occupation for a daycare for less than five children. Any change of use shall require a separate permit application for review and approval.

Building

1. Separate permits are required for any electrical: plumbing, sprinkler, fire alarm, HVAC systems, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
2. A Carbon Monoxide (CO) alarms shall be installed in each area within or giving access to bedrooms. That detection must be powered by the electrical service (plug-in or hardwired) in the building and battery.

Fire

1. The building shall comply with City Code Chapter 10.
2. All smoke detectors and smoke alarms shall be photoelectric.
3. Hardwired Carbon Monoxide alarms with battery back up are required on each floor.
4. Every room used for sleeping, living or dining purposes shall have not less than two (2) means of escape.
5. This approval is based on first floor use only; separate review and approval are necessary to occupy the second floor as a daycare.
6. Note: See Statement of Deficiencies and Plan of Corrections from the State's Fire Marshal's Office (dated 07/05/2012).

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, FAX: (207) 8716

Job No:	Date Applied:	CBL:
2012-05-3965-CH OF USE	**5/9/2012**	**402- B-020-001**

Location of Construction:	Owner Name:	Owner Address:	Phone:
11 GERTRUDE AVE	**SHOLEH MISAGHIAN**	**11 GERTRUDE AVE** **PORTLAND, ME 04103**	**207-878-3263**
Business Name:	Contractor Name: **N/A**	Contractor Address:	Phone:
Lessee/Buyer's Name:	Phone:	Permit Type: **CHUSE-HO - Home Occupancy**	Zone: **R-3**
Past Use: Single family home	Proposed Use: Single family home with home occupation for daycare for 5 children or less	Cost of Work:	CEO District:
		Fire Dept: ✓ Approved w/conditions per B.W. ___ Denied ___ N/A Signature:	Inspection: Use Group: R3 Type: 5B IRC, 2009 NUBEC Signature:

Proposed Project Description:	Pedestrian Activities District (P.A.D.)
home occupation - daycare for up to 5	

Permit Taken By:

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
2. Building Permits do not include plumbing, septic or electrial work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.

Zoning Approval

Special Zone or Reviews	Zoning Appeal	Historic Preservation
___ Shoreland	___ Variance	✓ Not in Dist or Landmark
___ Wetlands	___ Miscellaneous	___ Does not Require Review
___ Flood Zone	___ Conditional Use	___ Requires Review
___ Subdivision	___ Interpretation	___ Approved
___ Site Plan	___ Approved	___ Approved w/Conditions
___ Maj ___ Min ___ MM	___ Denied	___ Denied
Date: OK w/conditions 5/17/12 ABM	Date:	Date: ABM

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the appication is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT ADDRESS DATE PHONE

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE DATE PHONE

8-28-12 G poss w/ JM & BKL

2012 05 3965 66

R3

General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: 11 Gertrude Ave		
Total Square Footage of Proposed Structure/Area: 1200 s.f.	Square Footage of Lot: 7000 s.f.	
Tax Assessor's Chart, Block & Lot Chart# 402 Block# B Lot# 080	Applicant *must be owner, Lessee or Buyer* Name Sholeh Misaghian Address 11 Gertrude Ave City, State & Zip Portland ME	Telephone: 878-3263
Lessee/DBA (If Applicable) N/A	Owner (if different from Applicant) Name Same Address City, State & Zip	Cost Of Work: $ NA C of O Fee: $ Total Fee: $

RECEIVED
MAY 09 2012
Dept. of Building Inspections
City of Portland Maine

Current legal use (i.e. single family) Single family
If vacant, what was the previous use?
Proposed Specific use: Home occupation child care
Is property part of a subdivision? No If yes, please name
Project description:
Change of Use from residential single family to home occupation child care watching fewer than 5 children with no proposed construction.

Misaghian.Sholeh@gmail.com

Contractor's name:
Address:
City, State & Zip Telephone:
Who should we contact when the permit is ready: Sholeh Telephone: 878-3263
Mailing address: Same as above

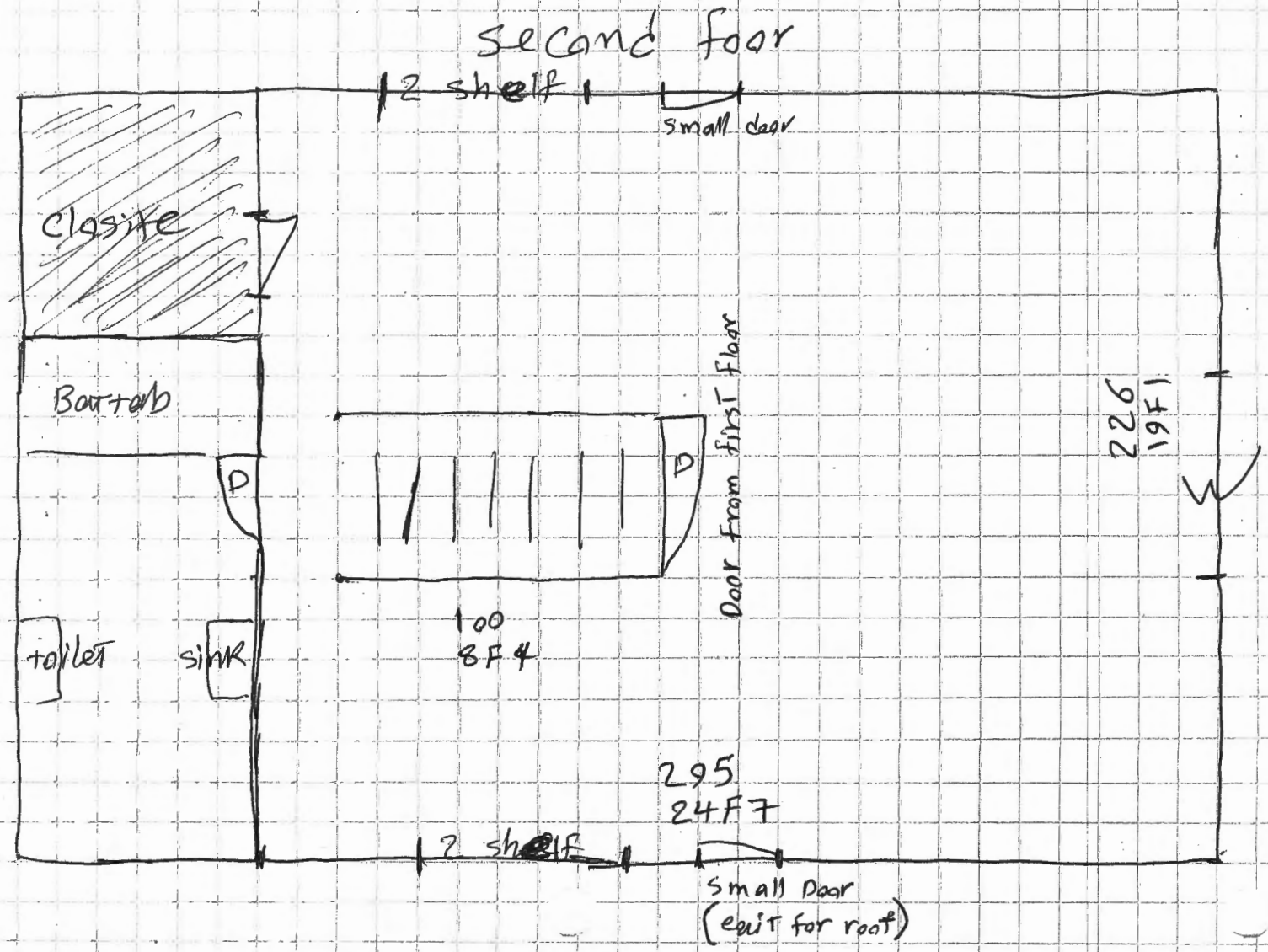
Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

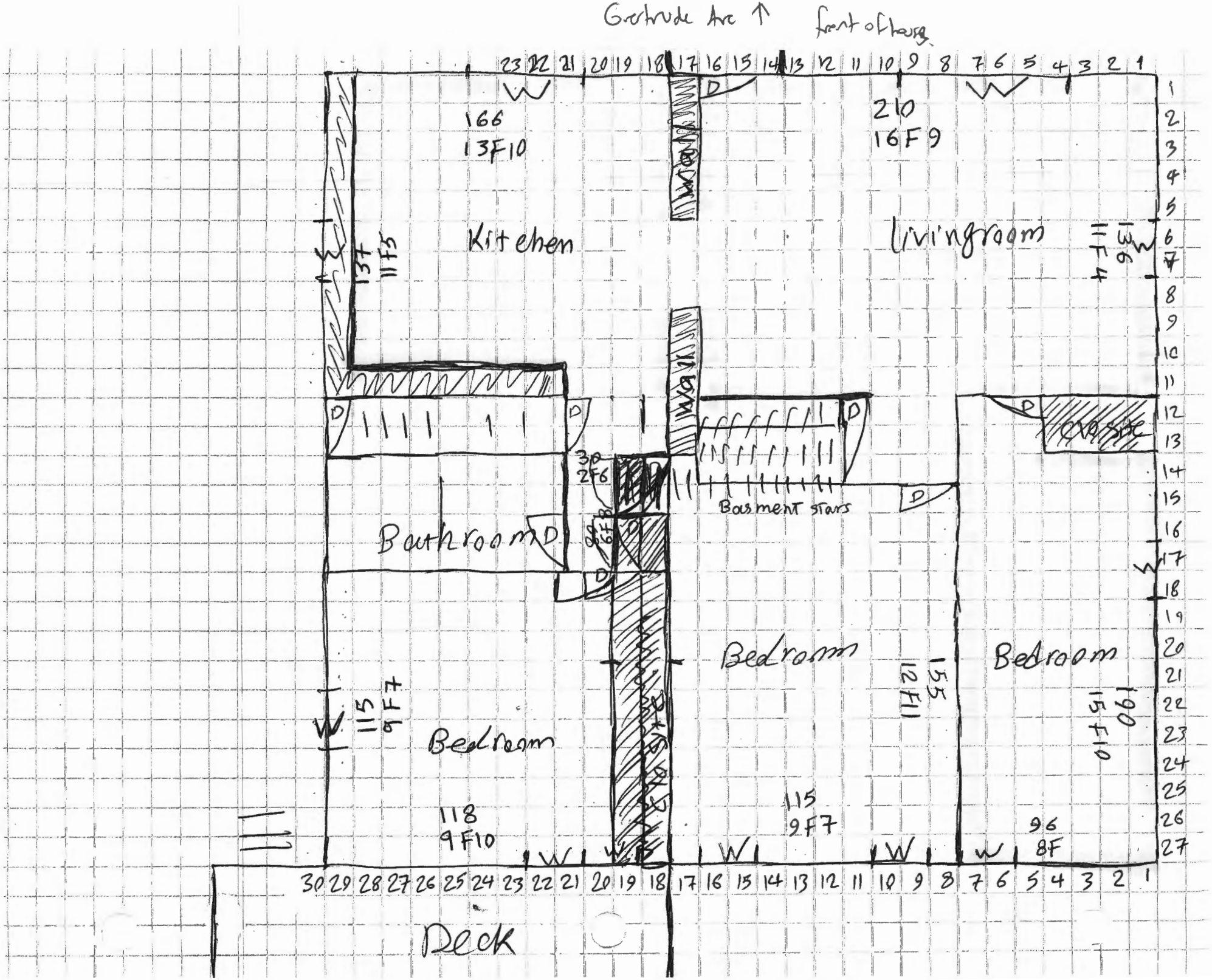
In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: Sholeh Date: 5-9-12

This is not a permit; you may not commence ANY work until the permit is issue


second foor
2 shelf
small door
Closite
Bathtub
D
D
Door from first Floor
226
19FT
toilet
sink
100
8FT
295
24FT
2 shelf
small Door
(exit for roof)


Gertrude Ave ↑
front of house
Kitchen
166
13F10
137
11F5
Livingroom
210
16F9
11F4
Bathroom
30
2F6
Basment stairs
Bedroom
155
12F11
Bedroom
190
15F10
Bedroom
115
9F7
118
9F10
115
9F7
96
8F
Deck

May 9, 2012

Ms. Marge Schmuckal
Zoning Administrator
Department of Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Ms. Schmuckal:

ok for home daycare

I am requesting a permit to allow me to use my residence at 11 Gertrude Avenue for a home based childcare, watching fewer than 5 children. A home based childcare is an acceptable home occupation listed under item (2) of Section 14-410 of the Portland zoning ordinance. The following is an explanation of how my home occupation meets the criteria listed under item (1) of the same.

ok for home daycare

1) My home occupation will occupy approximately 462 s.f. (38%) of floor area of the residence
2) No goods will be stored or be visible from outside the residence
3) Storage of the material necessary to perform my occupation (mostly small children's toys) are minimal and included in the above square footage calculation
4) No exterior alterations to the residence are necessary
5) Since there will only be minimal drop off and pick up of children, no additional parking is necessary
6) No objectionable effects will result from my home occupation
7) I will not require the services of any employees - ok - for home daycare.
8) Since the childcare will have fewer than 5 children, minimal traffic will be generated by my home occupation
9) No vehicles even nearing a gross vehicle weight of 6,000 pounds are necessary for my home occupation

As you can see, my home occupation is a secondary and incidental use of my residence. The external activity level and impact is negligible and in keeping with the residential character of the neighborhood.

Attached you will find a copy of floor plans showing my entire dwelling and the area of the home occupation space (highlighted in orange).

Thank you,

Sholeh Misaghian

Paul R. LePage
Governor

Phone: (207) 626-3880
Fax: (207) 287-6251

Maine Department of Public Safety
State Fire Marshal's Office
52 State House Station
Augusta, ME 04333-0052

John E. Morris
Commissioner

Joseph E. Thomas
Acting State Fire Marshal

Statement of Deficiencies and Plan of Corrections

Facility Name: MISAGHIAN, SHOLEH
Location: 11 GERTRUDE AVE
PORTLAND, ME 04103-3827

Owner Name:
Address: 11 GERTRUDE AVE
PORTLAND, ME 04103-3827

Telephone: +1 (207) 878-3263
Facility Type: DCH
File Number: 78361
Resource ID: 645944

During an inspection of your facility a certified State Inspector has found the following violations:		In this right hand column, you are required to indicate how and when you will have these violations corrected. Complete this information and return this "Plan of Correction" to the above address within 10 days of receipt of this statement.
1. VIOLATION	Violations found as described 1. Bedroom on the right side off the living room does not have a second means of escape. Provide second means of escape either a window that is 5.7 sq ft of clear opening or a door leading directly outside.	
2. VIOLATION	Violations found as described 2. Provide A/C interconnected smoke detection for all rooms used for daycare.	

Date of Inspection: 6/15/2012
Inspector: JON KLAGES
Date Sent: 7/5/2012

Owner/Occupant Signature: _____

Date: _____

FOR MORTGAGE LENDER USE ONLY

GENERAL NOTES: (1) DISTANCES SHOWN ARE TAKEN FROM PROVIDED TITLE REFERENCES SHOWN BELOW. (2) THE PURPOSE OF THIS INSPECTION IS TO RENDER AN OPINION AS FOLLOWS: A) DWELLING AND ACCESSORY STRUCTURE'S COMPLIANCE WITH RESPECT TO MUNICIPAL ZONING SETBACKS, AND B) FLOOD ZONE DETERMINATION BY HORIZONTAL SCALING ON BELOW REFERENCED FEMA MAP. (3) THIS INSPECTION EXCEPTS OUT ALL TECHNICAL STANDARDS CURRENTLY SET FORTH BY STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS. (4) THIS INSPECTION IS TO BE USED ONLY BY THE BELOW LISTED LENDER, TITLE ATTORNEY & TITLE INSURER AND IS NOT TO BE USED BY ANOTHER PARTY FOR BOUNDARY LINE LOCATIONS OR LAND TITLE OPINIONS. (5) A BOUNDARY SURVEY SHOULD BE PERFORMED TO RENDER A PROFESSIONAL OPINION PERTAINING TO BOUNDARY LINE LOCATIONS, EASEMENTS, RIGHTS OF WAY, ENCUMBRANCES, ENCROACHMENTS, AND/OR CONFLICTS WITH ABUTTER'S DEEDS.

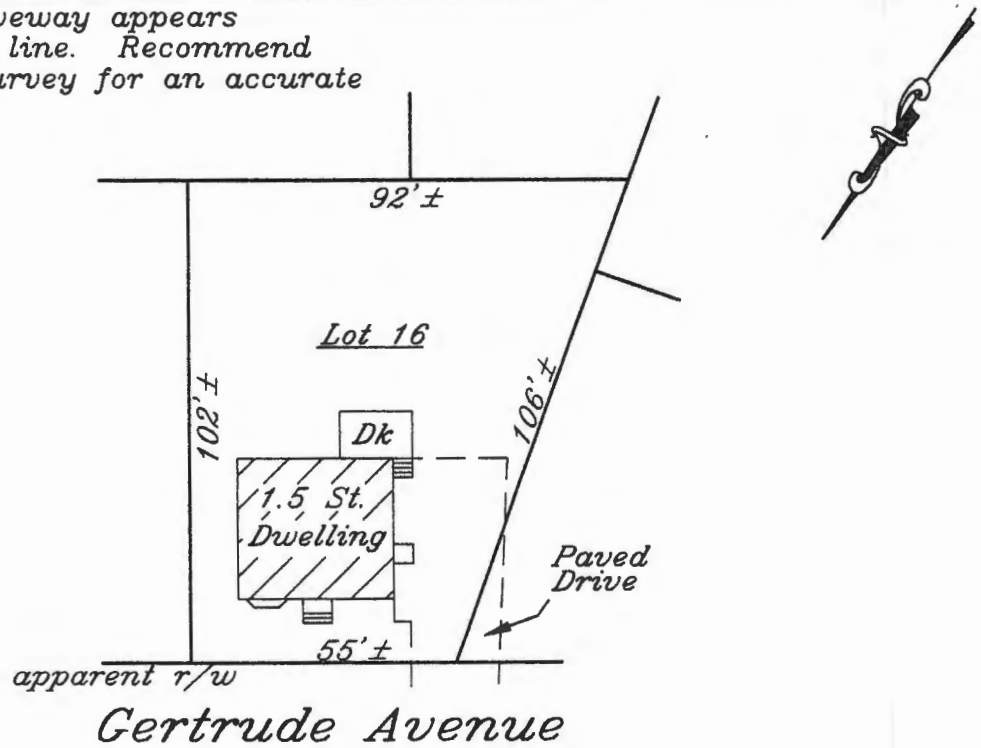
REV. 09/19/07

THIS SKETCH IS NOT TO BE USED FOR CONSTRUCTION PURPOSES, IMPROVEMENTS SHOWN ARE APPROXIMATE.

ADDRESS: 11 Gertrude Avenue
Portland, Maine

INSP. DATE: 11-5-07
SCALE: 1" = 40'

Note: Portion of Driveway appears to be over the line. Recommend a Boundary Survey for an accurate Location.



CJF

SEE PROVIDED TITLE REFERENCES FOR APPURTENANCES, IF ANY.

APPLICANT: Bahman Sabeti FILE#: 20720809
OWNER: Wells Fargo Bank NA Trustee CLIENT#: 1383253
LENDER: First Horizon Home loan Corp.
REQ. PARTY: Atlantic Title Company
ATTORNEY:

TITLE REFERENCES: COUNTY: Cumberland
DEED BOOK: 25215 PAGE: 213
PLAN BOOK: 12 PAGE: 17 LOT: 16

MUNICIPAL REFERENCE:
MAP: 402 BLOCK: B LOT: 20

THE DWELLING DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE PER FEMA COMMUNITY MAP No. 230051 PANEL: 7C
ZONE: X DATE: 12-8-98

THE DWELLING WAS [redacted] IN COMPLIANCE WITH MUNICIPAL ZONING SETBACK REQUIREMENTS AT THE TIME OF CONSTRUCTION.

James D. Nadeau, LLC
Professional Land Surveyors

11-6-7

918 BRIGHTON AVE. PH.(207)878-7870
PORTLAND, ME. 04102 F.(207)878-7871

THIS INSPECTION IS VALID ONLY WITH AN EMBOSSED SEAL AND IS NULL & VOID 90 DAYS AFTER INSPECTION DATE.

THIS IS NOT A BOUNDARY SURVEY – NOT FOR RECORDING

PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Receipts Details:

Tender Information: Check , BusinessName: Sholeh Misaghan, Check Number: 1002
Tender Amount: 225.00

Receipt Header:

Cashier Id: gguertin
Receipt Date: 5/9/2012
Receipt Number: 43780

Receipt Details:

Referance ID:	6468	Fee Type:	BP-C of O
Receipt Number:	0	Payment Date:	
Transaction Amount:	75.00	Charge Amount:	75.00
Job ID: Job ID: 2012-05-3965-CH OF USE - residential to child care ,less than 5 children			
Additional Comments: 11 Gertrude Ave			

Referance ID:	6469	Fee Type:	BP-Home
Receipt Number:	0	Payment Date:	
Transaction Amount:	150.00	Charge Amount:	150.00
Job ID: Job ID: 2012-05-3965-CH OF USE - residential to child care ,less than 5 children			